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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 NORA PULIDO,

11 Plaintiff,

No. CIV S-05-0678 FCD JFM PS

12 vs.

13 UNITRIN, INC., etc., et al.,

14 Defendants.

ORDER

15 _____/

16 This action was referred to the undersigned pursuant to Local Rule 72-302(c)(21).
17 On November 20, 2006, defendant Kemper Home and Auto Insurance Company filed a motion
18 for summary judgment pursuant to Fed. R. Civ. P. 56. No opposition to the motion has been
19 filed.

20 Local Rule 78-230(c) provides that opposition to the granting of a motion must be
21 filed fourteen days preceding the noticed hearing date. The Rule further provides that “[n]o party
22 will be entitled to be heard in opposition to a motion at oral arguments if written opposition to
23 the motion has not been timely filed by that party.” In addition, Local Rule 78-230(j) provides
24 that failure to appear may be deemed withdrawal of opposition to the motion or may result in
25 sanctions. Finally, Local Rule 11-110 provides that failure to comply with the Local Rules “may

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1 be grounds for imposition of any and all sanctions authorized by statute or Rule or within the
2 inherent power of the Court.”

3 Good cause appearing, IT IS HEREBY ORDERED that:

4 1. The hearing date of December 21, 2006 is vacated. Hearing on defendants’
5 motion for summary judgment is continued to January 25, 2007 at 11:00 a.m. in courtroom no.
6 27.

7 2. Plaintiff shall file opposition, if any, to the motion for summary judgment, no
8 later than January 18, 2007. Failure to file opposition and appear at the hearing will be deemed
9 as a statement of non-opposition and shall result in a recommendation that plaintiff’s complaint
10 be dismissed pursuant to Federal Rule of Civil Procedure 41(b).

11 DATED: December 19, 2006.

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14 UNITED STATES MAGISTRATE JUDGE

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